REMARKS

Claims 1-20 are pending, including independent claims 1, 5, 10, 14, and 19. All claims have been rejected on the basis of the same prior art as in the previous Office Action, and the Examiner has presented substantially the same arguments as before.

Applicants have amended independent claims 1, 5, 10 and 14 for further clarification. Particularly in view of these amendments, Applicants submit that the rejections are traversed and the claims are patentable over the cited art.

Claims 1, 5, 6, and 9 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent 5,875,183 ("Nitadori"). Claim 1, as amended, now recites an automatic method for communication among mobile units, comprising: acquiring information from another mobile unit through a physical network; registering a mobile unit as a member of a virtual logic network if the mobile unit satisfies a predetermined condition associated with the virtual logic network by referring to the acquired information of the mobile unit; monitoring at least one of the environment and a condition associated with a mobile unit for a predetermined event; and automatically selecting an appropriate virtual logic network according to a monitored event when the event takes place, selecting a communicating party from among the members of the selected virtual logic network, and communicating with the selected party.

Nitadori does not disclose or suggest this subject matter. Nitadori generally describes a mobile communication system in which mobile stations installed in vehicles traveling on a road can communicate with a base station on the roadside and with mobile stations in front of and behind the mobile station (e.g., Abstract; col. 4, ll. 21-50; col. 5, ll. 5-25).

In particular, Nitadori does not teach "monitoring at least one of the environment and a condition associated with a mobile unit for a predetermined event" as now claimed after amendment. The feature is absent in Nitadori.

Nitadori also does not teach "automatically selecting an appropriate virtual logic network <u>according to a monitored event when the event takes place</u>, selecting a communicating party from among the members of the selected virtual logic network, and communicating with the selected party." In the passages cited by the Examiner for support (col. 5, l. 60 – col. 6, l. 8; col. 14, l. 49 – col. 15, l. 15), the only statements of possible interest are statements that the sender finds the identifier of an intended party by using a directory service or the like. Nitadori does <u>not</u> select an appropriate virtual logic network according to a monitored event when the event takes place.

Independent claim 5 contains limitations corresponding to the limitations identified above in claim 1 and is patentable for at least the same reasons. The corresponding limitations in claim 5 are:

> monitoring at least one of the environment or situation of a driver or a vehicle;
> automatically selecting one virtual logic network from among the plurality of virtual logic networks on the basis of an environment or situation change; and setting the selected virtual logic network as an active network.

Claims 2-4, 7-8, and 10-18 are rejected under 35 U.S.C. § 103(a) as obvious over Nitadori in view of U.S. Patent 6,647,270 ("Himmelstein").

Regarding independent claims 10 and 14, the Examiner applies Nitadori in the same way as against claims 1 and 5. However, independent claims 10 and 14 contain limitations corresponding to the limitations identified above in claim 1 and are patentable over Nitadori for at least the same reasons. Himmelstein is only cited to show the use of communication apparatuses mounted in vehicles and does not cure the deficiencies of Nitadori.

The corresponding limitations in claim 10 are:

> an environment/condition monitor for monitoring at least one of the environment or condition of a driver or vehicle for a predetermined event; and

> a communicating party selector for automatically
> selecting a communicating party by using the table of the
> virtual logic networks according to a monitored event when
> the event takes place and communicating with the selected
> party.

The corresponding limitations in claim 14 are:

> a monitor for monitoring at least one of the
> environment or situation of a driver or a vehicle; and
> a communicating party selector for automatically
> selecting a particular virtual logic network from the plurality
> of virtual logic networks on the basis of an environment or
> situation change, setting the selected virtual logic network as
> an active network, and selecting a communicating party to
> effect communication with the selected party.

Claims 19 and 20 are rejected under 35 U.S.C. § 103(a) as obvious over Himmelstein and U.S. Patent Pub. No. 2003/0096593 A1 ("Naboulsi"). These claims relate to the embodiment shown in Fig. 6 and described at ¶¶ 74-79 of Applicants' application. Applicants continue to disagree with this rejection. The Examiner concedes that Himmelstein does not teach a sensor for detecting a physical condition of a driver, a sensor for monitoring a condition in the vehicle, or a condition determiner.

In addition, Himmelstein does not teach "an importance level determiner for determining an importance level regarding the necessity for communication with another mobile unit on the basis of the condition" as claimed. The passages cited by the Examiner (col. 4, ll. 48-67; col. 5, ll. 32-38; and col. 14, l. 62) describe a priority field of a communication packet, and do not teach "determining an importance level regarding the necessity for communication with another mobile unit on the basis of the condition."

Moreover, Himmelstein does not teach "an information-to-be-sent decider for deciding on information to be sent on the basis of the importance level when it is determined necessary to communicate with another mobile unit." The support cited by the Examiner (microprocessor 40; Fig. 2; col. 3, ll. 28-67) describes functions of the

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microprocessor 40 but does <u>not</u> teach "deciding on information to be sent <u>on the basis of the importance level</u>."

Naboulsi does not cure these deficiencies of Himmelstein. Moreover, Naboulsi is directed to an entirely different subject matter. Naboulsi generally describes a safety control system for detecting driver or vehicle conditions in which the driver would be distracted by a telephone, Internet usage, and the like. Upon detecting such driver or vehicle conditions, the system takes steps to avoid the distraction, particularly disabling the telephone or computer (e.g., Abstract; ¶¶ 3, 4, 6, 7, 10, 12-14, 24). There is no suggestion in the cited references to combine them in any way to result in Applicants' claimed invention.

The rejected dependent claims are believed to be patentable over the cited art for at least the same reasons as explained above for the independent claims.

In summary, Applicants submit that the present claims, as amended for clarification, patentably distinguish over the cited art, and Applicants respectfully request reconsideration and early allowance of this application.

Respectfully submitted,

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